REMARKS

Claims 1 through 20 are pending in the case.

Claims 1 through 20 are rejected.

Claims 1, 9, 12, 13, 15, 18 and 19 have been amended.

Examiner has objected to claims 1 through 20. Applicant has amended the specification and claims to overcome the objection.

Examiner has pointed out that some of the terms in Table 1 are referred to both as mixing products as well as leakage/isolation terms. Applicant notes that the leakage/isolation terms listed in table 1 are mixing products. As the Specification and claims make clear, labels for mixing products are displayed to a user, rather than requiring the user to specify the mixing product definition. For example, Figure 3 shows a graphics user interface window where various leakage/isolation terms are listed for a user, not by their mixer product definition, but by specific labels, such as In → Out, etc.

As is made clear by the Specification, for example by Table 1, each of these leakage/isolation terms is a mixing product. Table 1 gives the definition of the mixer measurement used for each listed leakage/isolation term.

While, Applicant believes that all of this is very clear from the Specification as originally filed, Applicant has added a few sentences in the Specification to restate this and avoid any ambiguity in the Specification.

Applicant has also amended the claims to specifically state that the mixer products can be produced by mixing signals.

Examiner has objected to claims 12, 13, 18 and 19 for insufficient antecedent basis for the term "the frequency converter". Applicant has amended these claims to remove the term "the frequency converter".

Discussion of the Rejections of the Claims

Examiner has rejected claims 9, 11, 14, 15, 17 and 20 under 35 U.S.C.§ 102 (b) as being anticipated by USPN 6,417,672 (Chong). Examiner has rejected claims 1 through 8, 10, 12, 13, 16, 18 and 19 under 35 U.S.C.§ 103 (a) as being unpatentable over Chong in view of USPN 6,064,694 (Clark).

Applicant respectfully traverses the rejections and requests reconsideration.

Criteria for rejection of claims under 35 U.S.C. § 102 and 35 U.S.C. § 103

The criteria for a rejection under 35 U.S.C. § 102 has been clearly defined by the courts and confirmed by the U.S. Patent and Trademark Office. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

In order to establish a *prima facie* case of obviousness, the prior art references when combined must teach or suggest all the claim limitations.

Below, Applicant points out subject matter within each independent claim that is not disclosed or suggested by the cited art, whether considered alone or in combination. On the basis of this, Applicant believes all the claims are patentable over the cited art.

Discussion of Independent Claim 1

Claim 1 sets out a method for testing a frequency converter. In step (a) labels for a plurality of mixing products are displayed. This is not disclosed or suggested by the art cited by Examiner. Examiner has argued that this step is disclosed by Chong at column 13, lines 56 through 63. This is incorrect.

Chong at column 13, lines 56 through 63 discloses a menu 518 that lists available tests. However, nothing in Chong discloses or suggests anything about mixing products or displaying labels for mixing products.

Step (b) of claim 1 states that in response to a user selecting a first mixing product from the plurality of mixing products, substeps (b1) and (b2) are performed. Examiner has argued that this part of step (b) is disclosed by keypad 216 and menu 520 of Chong. However, nothing in Chong discloses or suggests anything about mixing products or a user selecting mixing products.

In substep (b1) of claim 1, appropriate frequencies for the first mixing product are calculated in response to a user selecting a first mixing product from the plurality of mixing products. This is not disclosed or suggested by the cited art. Examiner has argued that this is disclosed by Chong at Figure 8B and in the Abstract, lines 2 and 3. However these sections of Chong do not disclose or

suggest calculating appropriate frequencies for a first mixing product in response to a user selecting a first mixing product from a plurality of mixing products, as set out in step (b1) of claim 1.

In substep (b2) a measurement configuration for the first mixing product is determined in response to a user selecting a first mixing product from the plurality of mixing products. Examiner has argued that this is disclosed in Chong by the selection of one of test circuits 322, 324 or 326. However the selection of test circuits is unrelated to a measurement configuration for the first mixing product being determined in response to a user selecting a first mixing product from the plurality of mixing products, as is set out in claim 1 of the present case.

Discussion of Independent Claim 9

Claim 9 sets out an interface for a tester. The tester includes a table that defines a plurality of mixing products. The table includes labels for the plurality of mixing products. This is not disclosed or suggested by the art cited by Examiner.

Examiner has argued that this table is disclosed by menus 518 and 520 of Chong. However, menus 518 and 520 of Chong do not disclose or suggest a table within a tester that defines a plurality of mixing products, as set out in claim 9. Further, menus 518 and 520 of Chong do not contain or suggest labels for the plurality of mixing products, as set out in claim 9.

Claim 9 sets out that the tester also includes a first display interface that displays at least a subset of the labels for the plurality of mixing products. This is not disclosed or suggested by the cited art.

Examiner has argued that display of such labels is disclosed by Chong at column 13, lines 56 through 63 and by graphic display 214. This is incorrect. Chong at column 13, lines 56 through 63 discloses a menu 518 that lists available tests. However, nothing in Chong discloses or suggests anything about mixing products or displaying labels for mixing products.

Claim 9 sets out that the tester also includes a processor that, in response to a user selecting a first mixing product from the plurality of mixing products, calculates appropriate frequencies for the first mixing product, and determines a measurement configuration for the first mixing product. This is not disclosed or suggested by the cited art.

Examiner has argued that the processor functionality is variously disclosed by Chong by keypad 216 and menu 520, by Figure 8B and in the Abstract, lines 2 and 3, and by the selection of one of test circuits 322, 324 or 326. However, nothing in Chong discloses or suggests anything about mixing products or a user selecting mixing products. Chong does not disclose or suggest calculating appropriate frequencies for a first mixing product in response to a user selecting a first mixing product from a plurality of mixing products. Further, the selection of test circuits 322, 324 or 326 is unrelated to a measurement configuration for the first mixing product being determined in

response to a user selecting a first mixing product from the plurality of mixing products, as is set out in claim 9 of the present case.

<div align="center">Discussion of Independent Claim 15</div>

Claim 15 sets out an interface for a tester. The tester includes a table means for defining a plurality of mixing products. The table means includes labels for the plurality of mixing products. This is not disclosed or suggested by the art cited by Examiner.

Examiner has argued that this table means is disclosed by menus 518 and 520 of Chong. However, menus 518 and 520 of Chong do not disclose or suggest a table means within a tester that defines a plurality of mixing products, as set out in claim 15. Further, menus 518 and 520 of Chong do not contain or suggest labels for the plurality of mixing products, as set out in claim 15.

Claim 15 sets out that the tester also includes an interface means that displays at least a subset of the labels for the plurality of mixing products. This is not disclosed or suggested by the cited art.

Examiner has argued that display of such labels is disclosed by Chong at column 13, lines 56 through 63 and by graphic display 214. This is incorrect. Chong at column 13, lines 56 through 63 discloses a menu 518 that lists available tests. However, nothing in Chong discloses or suggests anything about mixing products or displaying labels for mixing products.

Claim 15 sets out that the tester also includes a processor means for, in response to a user selecting a first mixing product from the plurality of mixing
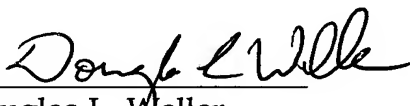
products, calculating appropriate frequencies for the first mixing product, and determining a measurement configuration for the first mixing product. This is not disclosed or suggested by the cited art.

Examiner has argued that the processor means functionality is variously disclosed by Chong by keypad 216 and menu 520, by Figure 8B and in the Abstract, lines 2 and 3, and by the selection of one of test circuits 322, 324 or 326. However, nothing in Chong discloses or suggests anything about mixing products or a user selecting mixing products. Chong does not disclose or suggest calculating appropriate frequencies for a first mixing product in response to a user selecting a first mixing product from a plurality of mixing products. Further, the selection of test circuits 322, 324 or 326 is unrelated to a measurement configuration for the first mixing product being determined in response to a user selecting a first mixing product from the plurality of mixing products, as is set out in claim 15 of the present case.

Conclusion

Applicant believes this Amendment has placed the present application in condition for allowance and favorable action is respectfully requested.

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